

# 530 ORDER EXTENDING THE RIVERHEAD WATER DISTRICT (EXT. 24R)

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, a petition of the owner of real property hereinafter described has been filed with the Town Board of Riverhead as governing body of the Riverhead Water District, requesting the approval of extension of the Riverhead Water District at no cost to the Riverhead Water District, and

WHEREAS, there has been filed with the Town Clerk a map for said extension prepared by Holzmacher, McLendon and Murrell, competent engineers duly licensed by the State of New York, showing the extension onto approximately 0.15 square miles in the vicinity of Warner Drive, and

WHEREAS, said petition and map are on file in the Office of the Town Clerk for public inspection, and

WHEREAS, the Town Board adopted an order on July 19, 1988 which recited the filing of the petition, the proposed improvements, the boundaries and a description of the district, and the estimated costs of these proposals, and

WHEREAS, the order set a public hearing to be held at 200 Howell Avenue, Riverhead, New York, on August 2, 1988, at 8:45 o'clock p.m. prevailing time, to consider the aforesaid petition, map and water main construction and to hear all persons interested in the subject thereof, and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly met and considered the matter of the extension of said water district, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

WHEREAS, the evidence offered at that time and place requires that the Town Board make the determination hereinafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Riverhead, in the County of Suffolk, that it be and hereby is determined as follows:

1. The aforesaid petition is signed and acknowledged as provided by law and is otherwise sufficient.
2. That all the property and property owners, within the proposed Water District Extension are benefited thereby.

3. That all the property and property owners benefited are included within the proposed Water District Extension.
4. It is in the public interest to establish the proposed Water District Extension as hereinafter described.
5. The Planning Board as lead agency of petitioners single-family subdivision, by resolution adopted September 21, 1987, determined the application to be an unlisted action and adopted a negative declaration, and be it

FURTHER RESOLVED, that this resolution shall not take effect and that the District shall not execute said resolution provided herein, until the Town Board shall by resolution accept the payment and performance bonds required herein:

1. The applicant has posted bond or secured a letter of credit issued by a commercial banking institution doing business in the Town of Riverhead in a form satisfactory to the Town Attorney in the amount of \$133,000.00 to pay for the construction of the water mains as provided herein.
2. Prior to the issuance of any certificate of occupancy, the applicant shall deposit with the Town of Riverhead Water District an amount equal to \$2,500.00 for each of the 45 dwelling units for which a certificate of occupancy is applied for, to be bonded at \$112,500.00 payable upon either the issuance of certificates of occupancy or two (2) years from date of posting the bond.

Upon a resolution approving the bond or letter of credit herein, the Town Clerk shall record with the Clerk of the County of Suffolk and file with the office of the Comptroller of the State of New York a copy of this Order. The Town shall then commence to let the public bids to the water mains provided herein and cause them to be constructed.

FURTHER RESOLVED, that the Town Board does subject to the further conditions of this resolution approve the establishment of a Water District Extension as hereinafter described to be known as Extension No. 24R.

FURTHER RESOLVED, that the Boundary of said Extension 24R shall be as more particularly described in the attached Exhibit A.

FURTHER RESOLVED, that the Extension 24R to the Water District is expressly conditioned upon there being no requirement on or liability of the Riverhead Water District to construct any improvements or to, at any time prior to acceptance to repair or maintain any improvements to or within said Extension 24R, and be it

FURTHER RESOLVED, that any improvements, including the costs of right of way, construction costs, engineering or legal fees or other expenses related to this Water District Extension shall be paid by the petitioner or his successors in interest, and be it

FURTHER RESOLVED, that the Town Clerk shall within ten days after satisfaction of the condition of this order file certified copies of it in duplicate in the office of the State Department of Audit and Control at Albany, New York and within the same period shall file a certified copy of this order with the Suffolk County Clerk, and be it further

THIS ORDER shall take effect immediately, subject to the conditions contained herein.

The question of the adoption of the foregoing Order was duly put to a vote on roll call.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

EXHIBIT A

RIVERHEAD WATER DISTRICT  
DESCRIPTION OF EXTENSION NO. 24R  
EAST BAITING HOLLOW

PART A

BEGINNING at a point on the existing boundary of the Riverhead Water District (east line of Extension No. 22) at its intersection with Long Island Sound;

Running thence easterly along the shoreline of Long Island Sound to the northwest corner of Extension 31 of the Riverhead Water District;

Thence southerly along the westerly boundary of Extension 31 to the northeast corner of Extension 30;

Thence westerly along the northerly boundary of Extension 30 to the southwest corner of Extension 30 (also the eastern boundary of Extension 22);

Thence northerly along the easterly line of Extension 22 to Long Island Sound, the point of BEGINNING.

PART B

BEGINNING at a point on the existing boundary (Extension 22) of the Riverhead Water District as it exists 500 feet north of Sound Avenue and 500 feet east of Warner Court;

Running thence northerly along the easterly line of the Riverhead Water District (Extension 22) and easterly, northerly,

8/16/88

963

easterly and southerly along the boundary lines of Extensions 30 and 31 to the northerly line of Extension 22, 500 feet north of Sound Avenue;

Thence westerly along the existing boundary to the point of BEGINNING.

8/16/88

# 531 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTTICE TO  
BIDDERS FOR THE CONSTRUCTION OF A SALT STORAGE FACILITY

Councilperson Pike offered the following  
resolution, which was seconded by Councilperson Boschetti:

RESOLVED, that the Town Clerk be and is hereby author-  
ized to publish and post the attached notice to bidders for the  
construction of a Salt Storage Facility to be located off of  
Sound Avenue, Wading River, New York.

DATED: Riverhead, New York  
August 16, 1988

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared.

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Separate sealed proposals will be received by the Town Clerk until 11:00 a.m. prevailing time on September 15, 1988 the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

**CONSTRUCTION OF SALT STORAGE FACILITY**

Instruction to Bidders, Proposal Form, Contract Form, General Conditions, Supplemental General Conditions, Special Conditions, Plans and Specifications may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

The Deposit for a complete set of Plans and Specifications is \$50. Checks shall be made payable to the Town of Riverhead. A refund in full will be made to the bidders returning the documents in good condition within ten (10) days of the opening of the bids, provided a formal proposal has been submitted by the bidder. A fifty (50%) percent refund will be made to nonbidders returning the documents.

Security for each bid must be submitted with each bid in an amount not less than five percent (5%) of the Base Bid in the form and subject to the conditions set forth in the "Instructions to bidders".

The successful bidder shall be required to furnish a Performance and Payment Bond in the amount of One Hundred Percentum (100%) of the accepted bid guaranteeing the completion and the payment of all obligations arising thereunder in the form and subject to the conditions set forth in the "Instructions to Bidders".

The Town Board reserves the right to reject any and all bids and solicit for new bids and/or to waive any informalities in the Proposals and to accept or reject any and all Alternatives or Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

No Bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the bid opening.

# 532 REJECTS BIDS RE: RENOVATIONS TO RESTROOMS AND NEW RESTROOMS AT STOTSKY PARK.

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi.

WHEREAS, on July 21, 1988, the Town Clerk was authorized to receive bids re: Renovations to Restrooms and New Restrooms at Stotsky Park, Riverhead; and

WHEREAS, four bids were received; and

WHEREAS, all bids received for renovations to restrooms and new restrooms at Stotsky Park were unacceptable.

NOW, THEREFORE, BE IT RESOLVED, that the bids for the renovations to restrooms and new restrooms at Stotsky Park be and are hereby rejected; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a Notice to Bidders for the Amended bid specifications of the renovations to restrooms and new restrooms at Stotsky Park; and

BE IT FURTHER RESOLVED, that said Notice to Bidders and amended Bid Specifications shall be supplied to the Town Clerk at a later date.

BE IT FURTHER RESOLVED, that the Town Clerk return all bid deposits received from contractors on the renovations to restrooms and new restrooms at Stotsky Park and to notify same of this rejection and subsequent amended re-bid.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.



NOTICE TO BIDDERS

Separate sealed proposals will be received by the Town Clerk until 11:00 a.m. prevailing time on September 16, 1988, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for the:

RENOVATIONS TO RESTROOM FACILITIES AND NEW RESTROOM FACILITIES AT STOTSKY PARK, RIVERHEAD, NEW YORK.

Instruction to Bidders, Proposal Form, Contract Form, General Conditions, Supplemental General Conditions, Special Conditions, Plans and Specifications may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

The Deposit for a complete set of Plans and Specifications is \$50. Checks shall be made payable to the Town of Riverhead. A refund in full will be made to the bidders returning the documents in good condition within ten (10) days of the opening of the bids, provided a formal proposal has been submitted by the bidder. A fifty (50%) percent refund will be made to nonbidders returning the documents.

Security for each bid must be submitted with each bid in an amount not less than five percent (5%) of the Base Bid in the form and subject to the conditions set forth in the "Instructions to bidders".

The successful bidder shall be required to furnish a Performance and Payment Bond in the amount of One Hundred Percentum (100%) of the accepted bid guaranteeing the completion and the payment of all obligations arising thereunder in the form and subject to the conditions set forth in the "Instructions to Bidders".

The Town Board reserves the right to reject any and all bids and solicit for new bids and to waive any informalities in the Proposals and to accept or reject any and all Alternatives or Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

No Bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the bid opening.

# 533 DEFERS SEQR DETERMINATION ON  
GARAL REALTY CHANGE OF ZONE

Councilperson Lombardi offered the following  
resolution, which was seconded by Councilperson Civiletti.

WHEREAS, Garal Realty has submitted a petition for a change of zone on a parcel located on Route 25 in Calverton (Suffolk County Tax Map Number 0600-98-1-9) from Industrial A to Residential A or Residential C or Agricultural A with an attending Environmental Assessment Form, and

WHEREAS, the Planning Department has reviewed this petition and has determined that the subject property is within an area of the Town of Riverhead which is subject to a proposed change of zone on the Town Board's motion which is presently described in a Generic Environmental Impact Statement, and

WHEREAS, the Findings Statement for the GEIS is presently being prepared by the Riverhead Planning Board with completion expected by August 18, 1988, and

WHEREAS, the subject GEIS recommends a change of zone for the described property from Industrial to Residential, such change commensurate with the land use petitioned by the applicant;

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board defer the declaring of a lead agency and the determination of significance as required by SEQR until such time as the Planning Board has issued its Findings Statement, and

BE IF FURTHER RESOLVED, that the applicant be forwarded a certified copy of this resolution.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared. adopted.

# 534 DEFERS SEQR DETERMINATION ON  
RICHARD VISONE CHANGE OF ZONE

Councilperson Boschetti offered the following  
resolution, which was seconded by Councilperson Pike .

WHEREAS, Richard Visone has submitted a change of zone from  
Industrial A to Business CR on a parcel located on Route 25 in Calverton  
Suffolk County Tax Map Number 0600-99-2-13) with an attending  
Environmental Assessment Form, and

WHEREAS, the Planning Department has reviewed this petition and has  
determined that the subject property is within an area of the Town of  
Riverhead which is subject to a proposed change of zone on the Town  
Board's motion which is presently described in a Generic Environmental  
Impact Statement, and

WHEREAS, the Findings Statement for the GEIS is presently being  
prepared by the Riverhead Planning Board with completion expected by  
August 18, 1988, and

WHEREAS, the subject GEIS recommends a change of zone for the  
described property from Industrial to Business, such change commensurate  
with the land use petitioned by the applicant;

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board defer  
the declaring of a lead agency and the determination of significance as  
required by SEQR until such time as the Planning Board has issued its  
Findings Statement, and

BE IF FURTHER RESOLVED, that the applicant be forwarded a certified  
copy of this resolution.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

# 535 DECLARATION OF LEAD AGENCY AND DETERMINATION OF SIGNIFICANCE FOR  
SPECIAL PERMIT PETITION OF NORTH FORK NURSERY

Councilperson Pike offered the following  
resolution, which was seconded by Councilperson Boschetti.

WHEREAS, North Fork Nursery has submitted a petition for special permit, for the construction of a facility for the housing of agricultural workers on a parcel within the Agricultural A Zone, and

WHEREAS, the Environmental Quality Review Board has reviewed these materials and has recommended that the application be considered an Unlisted Action, and

WHEREAS, the Riverhead Planning Department has reviewed this petition, with its attending Environmental Assessment Form and recommended that the Town Board declare lead agency and determine the action not to have a significant effect upon the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board declare itself lead agency for this project, and

BE IF FURTHER RESOLVED, that the project be granted a negative declaration with conditions, those conditions to be commensurate with Article VI Section 108-21 (c) (4) a-i of the Riverhead Town Code.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

# 536 ADOPTS RESOLUTION RE: LOCAL LAW # 6 -1988 PROVIDING FOR  
A FOUR-YEAR TERM OF OFFICE FOR THE SUPERVISOR

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding Local Law # 3 -1988 providing for a four-year term of office for the Supervisor; and

WHEREAS, a public hearing was held on the 2nd day of August, 1988, at 8:05, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that Local Law # 6 -1988 providing for a four-year term of office for the Supervisor be and is hereby adopted as follows:

LOCAL LAW # 6 -1988  
A LOCAL LAW PROVIDING FOR  
A FOUR-YEAR TERM OF OFFICE  
FOR THE SUPERVISOR

Section 1. The term of office of the Supervisor shall be four years.

Section 2. This local law shall supersede section twenty-four of the town law, insofar as it is inconsistent with such section.

Section 3. A proposition for the approval of this local law shall be submitted to the electors of the Town of Riverhead at the general election to be held in November, nineteen hundred eighty-eight, and this local law shall become operative only if approved by the affirmative vote of a majority of the qualified electors voting upon such proposition.

Section 4. If this local law is approved by the affirmative vote of a majority of the qualified electors of the town voting thereon at said general election, any of the town officers mentioned in section one hereof elected at a biennial town election held after this local law takes effect shall hold office for a term of four years commencing on the first day of January next succeeding such election.

Copies of said Local Law are available at the Office of the Town Clerk to any interested persons during business hours.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the **Riverhead News-Review** and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Supervisor's Office.

Dated: Riverhead, New York  
August 16, 1988

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, no, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

# 537 ADOPTS RESOLUTION RE: LOCAL LAW # 7 -1988 PROVIDING FOR  
A FOUR-YEAR TERM OF OFFICE FOR THE TOWN CLERK

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding Local Law #\_\_\_\_-1988 providing for a four-year term of office for the Town Clerk; and

WHEREAS, a public hearing was held on the 2nd day of August, 1988, at 8:15, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that Local Law # 7 -1988 providing for a four-year term of office for the Town Clerk be and is hereby adopted as follows:

LOCAL LAW # 7 -1988  
A LOCAL LAW PROVIDING FOR  
A FOUR-YEAR TERM OF OFFICE  
FOR THE TOWN CLERK

Section 1. The term of office of the Town Clerk shall be four years.

Section 2. This local law shall supersede section twenty-four of the town law, insofar as it is inconsistent with such section.

Section 3. A proposition for the approval of this local law shall be submitted to the electors of the Town of Riverhead at the general election to be held in November, nineteen hundred eighty-eight, and this local law shall become operative only if approved by the affirmative vote of a majority of the qualified electors voting upon such proposition.

Section 4. If this local law is approved by the affirmative vote of a majority of the qualified electors of the town voting thereon at said general election, any of the town officers mentioned in section one hereof elected at a biennial town election held after this local law takes effect shall hold office for a term of four years commencing on the first day of January next succeeding such election.

Copies of said Local Law are available at the Office of the Town Clerk to any interested persons during business hours.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the **Riverhead News-Review** and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Town Clerk.

Dated: Riverhead, New York  
August 16, 1988

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Bombardi, yes, Janoski, absent.  
The resolution was thereupon duly declared adopted.



# 538 ADOPTS RESOLUTION RE: LOCAL LAW # 5 -1988 PROVIDING FOR  
A FOUR-YEAR TERM OF OFFICE FOR THE HIGHWAY SUPERINTENDENT

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding Local Law # 5 -1988 providing for a four-year term of office for the Highway Superintendent; and

WHEREAS, a public hearing was held on the 2nd day of August, 1988, at 8:25, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that Local Law # 5 -1988 providing for a four-year term of office for the Highway Superintendent be and is hereby adopted as follows:

LOCAL LAW # 5 -1988  
A LOCAL LAW PROVIDING FOR  
A FOUR-YEAR TERM OF OFFICE  
FOR THE HIGHWAY SUPERINTENDENT

Section 1. The term of office of the Highway Superintendent shall be four years.

Section 2. This local law shall supersede section twenty-four of the town law, insofar as it is inconsistent with such section.

Section 3. A proposition for the approval of this local law shall be submitted to the electors of the Town of Riverhead at the general election to be held in November, nineteen hundred eighty-eight, and this local law shall become operative only if approved by the affirmative vote of a majority of the qualified electors voting upon such proposition.

Section 4. If this local law is approved by the affirmative vote of a majority of the qualified electors of the town voting thereon at said general election, any of the town officers mentioned in section one hereof elected at a biennial town election held after this local law takes effect shall hold office for a term of four years commencing on the first day of January next succeeding such election.

Copies of said Local Law are available at the Office of the Town Clerk to any interested persons during business hours.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the **Riverhead News-Review** and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Highway Superintendent.

Dated: Riverhead, New York  
August 16, 1988

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

# 539

ADOPTS RESOLUTION RE: ADDITION OF ARTICLE IV TO CHAPTER  
64 OF THE RIVERHEAD TOWN CODE

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding addition of Article IV to Chapter 64 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of June, 1988, at 7:45, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that addition of Article IV to Chapter 64 of the Riverhead Town Code be and is hereby adopted as follows:

**ARTICLE IV**

**Pet Stores**

**Section 64-25. Definitions**

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section:

**PET STORE** - A building or structure used primarily for the retail sale or exchange of domestic or other animals and does not include farms, veterinary hospitals, non-commercial kennels or Riverhead Town Animal Shelter.

**NON COMMERCIAL KENNELS** - A kennel at, in or adjoining a private residence where hunting or other dogs are kept for the hobby of the householder in using them for breeding, for hunting or practice tracking, for exhibiting them in dog shows or for field or obedience trials. Some evidence of the existence of a "non-commercial kennel" may be shown by the production of purebred license, membership in a recognized kennel club, membership in a recognized hunting club or proof of exhibition of the dogs at trials or shows, but the foregoing list is not meant to be all-inclusive as to what evidence constitutes proof of the existence of a "noncommercial kennel."

**Section 64-26. Installation of sprinkler system.**

A sprinkler system must be installed in a pet store operating in the Town of Riverhead. The sprinkler system shall be installed in accordance with the National Fire Protection Association Chapter 13, must be maintained in operative condition at all times, and shall have some kind of audible or automatic alarm outside the building to call attention to the fact that the system is in operation.

An alarm system must be installed and maintained and shall be connected to a central fire station.

It shall be unlawful for any individual to reduce the effectiveness of the protection so required, except this shall not prohibit an individual from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations or additions. The Fire Inspector shall be notified before such tests, repairs, alterations or additions are started.

The sprinkler system shall be tested each year, and a written report of such test shall be filed with the Fire Inspector within ten (10) days of such test.

**Section 64-27. Applicability.**

This article shall apply to all pet stores commencing operation on or after April 1, 1988. All pet stores in operation prior to April 1, 1988, shall not be required to comply with this section of this Article until January 1, 1990, if said store remains at its present business address.

**Section 64-28. Effective date.**

This Article shall become effective immediately.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the **Riverhead News-Review** and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Building Department.

Dated: Riverhead, New York  
August 16, 1988.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

# 540

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:  
AMENDMENT TO SECTION 108-97A(1) & (3) AND SECTION 108-  
97F(1), (2) & (3)

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to Amendment to Section 108-97A(1) & (3) and Section 108-97F(1), (2) & (3):

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of September, 1988, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to Amendment to Section 108-97A(1) & (3) and Section 108-97F(1), (2) & (3), as follows:

**108-97. Major Subdivision**

**A. Procedure**

(1) Sketch plan. Three(3) alternative sketch plans prepared in accordance with Section 108-97B may be required to be submitted. One (1) of the three (3) sketch plans may be required to be a cluster development. The subdivider shall submit ~~seven (7)~~ twelve (12) copies of each sketch plan, clearly marked "sketch plan." The subdivider will be advised of the time and place of the meeting when the Planning Board will consider the sketch plans, and the subdivider or his agents shall be present at this meeting or request an adjournment thereof. The Planning Board shall determine whether any of the sketch plans meet the purposes of this Article and shall, where it deems necessary, make specific recommendations so that the subdivider or his agents may proceed with the preparation of a preliminary plat.

(2) To remain as is.

(3) Final plat. The subdivider shall submit one (1) linen print and ~~seven (7)~~ twelve (12) paper prints and shall submit the copies required for filing in the County Clerk's office and may submit the linen tracing to the Planning Board within the time and in accordance with the requirements set forth in Section 276 of the Town Law, in accordance with the requirements herein set forth and in accordance with any other applicable state law or local law, ordinance, rule, regulation or resolution.

#### F. Application and fee.

(1) Sketch Plan. A letter of application, together with the requisite number of copies of the sketch plan, shall be submitted to the Planning Board ~~at least sixteen (16) days prior to a regular meeting for consideration at that meeting.~~ All applications for the consideration of the sketch plan shall be accompanied by a fee of fifty dollars (\$50.).

(2) Preliminary plat. A letter of application, together with the requisite number of copies of the preliminary plat, shall be submitted to the Planning Board ~~at least sixteen (16) days prior to a regular meeting for consideration at that meeting.~~ All applications for the consideration of a preliminary plat shall be accompanied by a fee of five dollars (\$5.) per acre or part thereof in the proposed subdivision if a sketch plan has been submitted or shall be accompanied by a fee of fifty dollars (\$50.) plus five dollars (\$5.) per acre or part thereof in the proposed subdivision if a sketch plan has not been submitted.

(3) Final plat. A letter of application, together with the requisite number of copies of the final plat, shall be submitted to the Planning Board ~~at least sixteen (16) days prior to a regular meeting for consideration at that meeting.~~ The fee for final subdivision shall be waived, unless a subdivider submits the final plat together with the data required for the preliminary plat, in which case the application shall be accompanied by a fee of fifty dollars (\$50.) plus five dollars (\$5.) per acre or part thereof in the proposed subdivision.

Dated: Riverhead, New York  
August 16, 1988.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

\*underscore represents addition(s)  
\*\*overstrike represents deletion(s)

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.  
The resolution was thereupon duly declared adopted.

541 APPOINTS SUB-REGISTRAR OF VITAL STATISTICS

8/16/88

Councilperson Civiletti offered the following resolution,  
seconded by Councilperson Lombardi

RESOLVED, at the request and recommendation of Registrar of  
Vital Statistics Irene J. Pendzick, CAROLYN HOGAN is hereby  
appointed Sub-Registrar of Vital Statistics at the annual  
rate of compensation of \$2,000., to be charged to the  
Registrar of Vital Statistics Account A 4020.100., effective  
August 15, 1988.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

# 542

AUTHORIZES ATTENDANCE OF FINANCIAL ADMINISTRATOR JOHN J  
HANSEN AND TOWN ATTORNEY PATRICIA MOORE TO ATTEND SEMINAR

Councilperson Boschetti offered the following  
resolution which was seconded by Councilperson Pike.

WHEREAS, the Financial Administrator, John J. Hansen and  
the Town Attorney Patricia Moore have expressed the desire to  
attend the Management Education Corporation Seminar, and

NOW, THEREFORE BE IT RESOLVED, that John J. Hansen and  
Patricia Moore be hereby authorized to attend said seminar from  
September 27-28, 1988,

FURTHER BE IT RESOLVED, that John J. Hansen and Patricia  
Moore receive an advance of \$400.00 each for related expenses,  
said expenses to fully receipted upon their return.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.



# 543 AUTHORIZES TOWN CLERK TO COMPLETE FORM TE9a RE: SPEED  
LIMIT REDUCTION OF PECONIC BAY BOULEVARD

Councilperson Pike offered the following  
resolution which was seconded by Councilperson Boschetti.

WHEREAS, by letter dated August 3, 1988 resident in the area  
of Peconic Bay Boulevard has requested the Town Board to address  
the matter of speed limit on Peconic Bay Boulevard, Jamesport.

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk be and is  
hereby authorized to complete form TE9a and forward same to the  
New York State Department of Transportation to investigate the  
speed limit of that area and make recommendation therefrom.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

8/10/88

# 544 AUTHORIZES TOWN CLERK TO COMPLETE FORM TE9a RE: SPEED  
LIMIT OF OSBORNE AVENUE, RIVERHEAD

Councilperson Pike offered the following  
resolution which was seconded by Councilperson Boschetti.

WHEREAS, by letter dated July 4, 1988 residents in the area  
of Osborne Avenue has requested the Town Board to address the  
matter of speed limit on Osborne Avenue, Riverhead.

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk be and is  
hereby authorized to complete form TE9a and forward same to the  
New York State Department of Transportation to investigate the  
speed limit of that area and make recommendation therefrom.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

545 AUTHORIZES PUBLICATION OF PUBLIC NOTICE FOR ARCHITECTURAL  
REVIEW BOARD

Councilperson Lombardi offered the following  
resolution, which was seconded by Councilperson Civiletti.

WHEREAS, by Resolution #499 , dated August 2, 1988, the Town Board  
of the Town of Riverhead did create an Architectural Review Board, and

WHEREAS, it is the intent and desire of this Board that individuals  
of the highest qualification and competence be sought to serve as the  
intended members of said Architectural Review Board;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to  
publish a one-quarter (1/4) page advertisement in the August 18, 1988,  
issue of the News-Review and the Community Journal, and the August 24,  
1988, issue of Suffolk Life, as well as a one-eighth (1/8) page  
advertisement in the August 18, 1988, issue of the Traveler-Watchman, in  
the format as attached hereto:

PUBLIC NOTICE

Town of Riverhead, is seeking qualified individuals interested in  
appearance of commercial and industrial development throughout the  
area to serve on the Architectural Review Board. Architects, designers,  
landscape architects, and other persons competent in matters of design  
are considered eligible. Please submit resumes no later than August 31,  
1988, to the Planning Department, Town Hall, 200 Howell Avenue,  
Riverhead, NY 11901.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

# 546 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED  
AD RE: SCHOOL CROSSING GUARD

Councilperson Boschetti offered the following  
resolution which was seconded by Councilperson Pike.

WHEREAS, there are available positions for School Crossing  
Guards.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and  
is hereby authorized to publish and post the display Help Wanted  
Ad for School Crossing Guards, in the August 24th issue of  
Suffolk Life Newspapers and the August 25th issue of The News  
Review.

HELP WANTED

The Town of Riverhead, is seeking qualified individuals to  
serve as School Crossing Guards. Interested individuals must  
submit an applicaiton to the Riverhead Police Department, 210  
Howell Avenue, Riverhead, New York, weekdays between 8:30 a.m.  
and 4:30 p.m. The Town of Rivehread does not discriminate on the  
basis of race, color, national origin, sex, age and handicapped  
status in employment of the provision of services.

The hourly rate of compensation for said position is \$6.40  
and uniforms are provided.

BY ORDER OF THE RIVERHEAD TOWN BOARD

Irene J. Pendzick, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

# 547 AUTHORIZES APPOINTMENT OF SCHOOL CROSSING GUARD

Councilperson Pike offered the following resolution which was seconded by Councilperson Boschetti.

RESOLVED, that Dolores Godzieba be and is hereby appointed to serve as a School Crossing Guard effective immediately at the hourly rate of compensation of \$6.40.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Dolores Godzieba, Chief Grattan, Sergeant Joseph Grattan and the Office of Accountong.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#\_548\_\_RESCINDS RESOLUTION #472 AND ISSUES FINDINGS STATEMENT  
PURSUANT TO SEQR FOR ALVIN BENJAMIN SPECIAL PERMIT  
PETITION

Councilperson Lombardi offered the following resolution,  
which was seconded by Councilperson Civiletti

WHEREAS, the Riverhead Town Board resolved on August 2, 1988 to accept the Findings Statement prepared by the Riverhead Planning Department in the matter of the special permit of Alvin Benjamin for 181 condominium units; and

WHEREAS, the Riverhead Town Board in accepting these findings resolved to deny the Alvin Benjamin special permit application; and

WHEREAS; the Riverhead Town Board has not held a public hearing on the matter of the Alvin Benjamin condominium special permit; and

WHEREAS, the Town Board desires to perfect the procedural elements of this special permit application.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby rescinds resolution #472 adopted August 2, 1988 and resolves the following:

1. The Riverhead Town Board is in receipt of a special permit application submitted by Alvin Benjamin for the development of 181 condominium units on 52 acres pursuant to Section 108-20 of the Riverhead Town Code.
2. The Town Board of the Town of Riverhead as lead agency has accepted a Draft Environmental Impact Statement respecting this project.
3. The Town Board has received commentary on this project at such times as appropriate throughout the SEQR process.
4. The applicant has responded adequately to such commentary.
5. The lead agency has reviewed the response to commentary and considers it complete.
6. The lead agency has published a Notice of Completion of a Final Environmental Impact Statement (FEIS) respecting this project in a manner pursuant to 6 NYCRR Part 617.21.
7. The required comment period described in such Notice of Completion has elapsed.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

5/10/00

FURTHER, BE IT RESOLVED, that the Riverhead Town Board accepts the conclusions of the attached Findings Statement respecting the special permit petition of Alvin Benjamin as required by 6 NYCRR Part 617.9; and

BE IT FURTHER RESOLVED, that on the basis of said Findings, the Riverhead Town Board stipulates that a realty subdivision of the subject property be the preferred development in order that the identified environmental impacts of the project be mitigated through a development alternative proposed by the applicant which would reduce the amount of vehicular traffic and persons ultimately residing in the project; and

BE IT FURTHER RESOLVED, that the Town Board coordinate review of this Findings Statement with all involved agencies and that the Town Clerk forward a certified copy of this resolution to Henry Saxtein, as attorney for the applicant.

The Riverhead Town Board, as Lead Agency, after careful consideration of all relevant materials and comments received into the record on this action, makes the following findings of fact and reaches the following conclusions:

- (i) That the property involved in this action is zoned Residence C as depicted on the Town of Riverhead Zoning Use District Map;
- (ii) That the as of right use of this property is residential development at a minimum lot size of 20,000 sq. ft. subject to Suffolk County Department of Health approval;
- (iii) That the applicant has made application for a special permit use under Section 108-20 of the Riverhead Town Code for the development of 181 one, two, and three bedroom, attached town houses (condominium units) at a density of 3.47 dwelling units per acre. ;
- (iv) That the applicant has provided to the Lead Agency alternatives which include a standard yield plan and a clustered detached subdivision of 90 units;
- (v) That the proposed development has the following advantages over the standard and clustered subdivision:
  - 1. An average of 100 percent less school age children generated (a range of 28-163 for the condominium project as compared to a range of 84-168 for the realty subdivision alternative);
  - 2. A reduction of disturbed area (33 acres for the condominium as compared to 40 acres for the clustered subdivision;
  - 3. An increase in preserved open space (19 acres for the condominium compared to 11.7 for the clustered subdivision;
  - 4. An increase in the total tax revenue to be generated (\$404,000) for the condominium project as opposed to \$170,550 for the realty subdivision with relatively equal cost to the Riverhead School District (approximately \$729,099).
- (vi) That the proposed development has the following disadvantages over the standard and clustered subdivision:
  - 1. That the condominium project would produce more solid waste (2,626 LBS/day as compared to 1,625 for the subdivision);
  - 2. That the condominium project would generate more waste water (45,000 gallons/day) than the subdivision (25,200);



3. That the condominium project would generate 16 percent more trip ends (941) than the subdivision (840).
- (vii) That the DEIS indicated that the proposed project would have an impact on the social environment in that:
1. The proposed project would introduce 181 families into an area which is characterized by a 114 unit elderly housing project. Commentary to the DEIS centered upon "involuntary interactions" between the residents of the proposed project and the residents of John Wesley Village.
  2. The proposed project would generate 941 trip ends per day which might disturb the safety and residential quality of existing roadways (Nadel Drive).
- (viii) That the response to commentary made by the applicant relating to impacts on the social environment included:
1. That analysis of pedestrian and motor vehicle movement analysis in both John Wesley Village and Nadel Drive indicates that the frequency of involuntary interaction will increase with the proposed project;
  2. That noise impact upon John Wesley Village would be proportional to the number of residents residing in the proposed project;
  3. That the applicant has investigated possible alternatives to the planned access to the project site and has determined that no other access is possible;
  4. That identified rare species of birds which may potentially exist on the project site have not been observed;
  5. That an analysis of the fiscal impact upon the Riverhead School District has been made part of the response to comments.
- (ix) That the applicant has recommended that, in order to address the identified impacts upon the human environment, the following mitigation measures be considered:
1. Selection of a development alternative which would yield less vehicular traffic as so to reduce risk of accidents;
  2. Selection of development alternative where fewer persons are expected as to reduce interactions with individuals already residing in the project area;
  3. Eliminate proposed development plan entirely in order to eliminate all impacts and risks;

4. Increase landscaping in order to mitigate the visual impacts of the proposed development on John Wesley Village residents;
5. Increase buffer area between the project and John Wesley Village;
6. Limit population in project by constructing only one and two-bedroom units;
7. Limit access to adjacent communities by encouraging car pools;
8. Provide public transportation to project site and encourage use;
9. Relocate tot lots to an area buffered from John Wesley Village;
10. Restrict access to project to Nadel Court, thereby reducing all motor vehicle traffic through Aldersgate Court.

That the lead agency in consideration of the environmental impacts of the proposed project and the mitigation measures proposed by the applicant finds that the standard subdivision plan, included as an alternative in the FEIS, is the preferred development scheme; this conclusion reached in recognition that the realty subdivision alternative succeeds in the mitigation of identified environmental impacts on the human environment.

That the lead agency, in consideration of commentary on the record relating to appropriate access to the proposed realty subdivision, would require the Planning Board, in its review of subdivision maps on the subject parcel, to consider the following alternative access to proposed lots:

- (i) The extension of Ostrander Avenue, at no cost to the developer, in order to provide additional legal access;
- (ii) The pursuit of an 800 ft. + right-of-way from the owners of John Wesley Village complex (Suffolk County Tax Map No. 0600-082-002-004.600) along the eastern property line to provide legal access from Middle Road with subsequent improvement to Town specifications to allow eventual dedication;

That in recognition of the existence of Class I and Class II soils existing on the subject parcel, that the Riverhead Planning Board consider the submission of a cluster development plan which to the greatest extent practical succeeds in the preservation of prime agricultural soils, consistent with the "Recommendations for the Preservation of Farmland" (H2M Study).

8/16/88

994

RESOLUTION NUMBER 549

DATE: AUGUST 16, 1988

COUNCILMAN Lombardi offered the following resolution, which was  
seconded by COUNCILMAN Boschetti.

RESOLVED, that the SUPERVISOR be, and is hereby authorized to pay the following:

<u>GENERAL TOWN</u>		
Abstract #13	Voucher #'s: 2488-2654	Totalling: \$355,074.69
<u>PLANCE</u>		
Abstract #13	Voucher #'s: 12	Totalling: \$ 33.65
<u>HIGHWAY</u>		
Abstract #13	Voucher #'s: 345-373	Totalling: \$212,046.71
<u>SHIPS (LOCAL STREETS &amp; HIGHWAYS)</u>		
Abstract #13	Voucher #'s: 7-9	Totalling: \$111,089.26
<u>PUBLIC PARKING</u>		
Abstract #13	Voucher #'s: 91-94,97	Totalling: \$ 3,029.39
<u>STREET LIGHTING</u>		
Abstract #13	Voucher #'s: 112-119	Totalling: \$ 2,250.24
<u>WATER</u>		
Abstract #13	Voucher #'s: 267-284	Totalling: \$ 13,373.89
<u>WATER</u>		
Abstract #13	Voucher #'s: 365-390	Totalling: \$ 80,001.42
<u>DISCRETIONARY</u>		
Abstract #13	Voucher #'s: 78	Totalling: \$ 1,647.67
<u>BIRTH SERVICES</u>		
Abstract #13	Voucher #'s: 42-44	Totalling: \$ 1,363.42
<u>ELDER HELPING SENIORS</u>		
Abstract #13	Voucher #'s: 51-59	Totalling: \$ 2,078.73
<u>ELDER DEBT SERVICE</u>		
Abstract #13	Voucher #'s: 7-11	Totalling: \$ 3,125.00
<u>GENERAL TOWN DEBT SERVICE</u>		
Abstract #13	Voucher #'s: 5-7	Totalling: \$ 1,500.00
<u>JOINT SCAVENGER WASTE</u>		
Abstract #13	Voucher #'s: 164-174	Totalling: \$ 16,989.12
<u>EXPANDED IN HOME SERVICE FOR THE ELDERLY</u>		
Abstract #13	Voucher #'s: 25-30	Totalling: \$ 666.65
<u>MUNICIPAL GARAGE</u>		
Abstract #13	Voucher #'s: 114-117	Totalling: \$ 2,919.92

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,  
Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.